

Hon. John C. Coughenour

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION**

CHARLES GREG NYGARD,

Plaintiff,

vs.

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC., a  
corporation; AMERICAN MORTGAGE  
NETWORK, INC., a corporation; U.S. BANK  
NATIONAL ASSOCIATION, a national  
banking association; WACHOVIA  
MORTGAGE LOAN TRUST ASSET-  
BACKED CERTIFICATES, SERIES 2006-  
AMN1, a trust; FIRST AMERICAN TITLE  
INSURANCE COMPANY, a corporation;  
RESIDENTIAL FUNDING COMPANY, LLC,  
a limited liability corporation; DEUTSCHE  
BANK TRUST COMPANY AMERICAS, a  
corporation; RALI SERIES 2007-Q04 TRUST,  
a trust; MORTGAGEIT, INC., a corporation;  
MORTGAGEIT TRUST 2005-AR1, a trust;  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY, a corporation; INDYMAC INDX  
MORTGAGE LOAN TRUST 2007-AR17, a  
trust; and, NORTHWEST TRUSTEE  
SERVICES, INC., a corporation,

Defendants.

Case No. 2:14-cv-01730

STIPULATION AND ORDER OF  
DISMISSAL

*(Clerk's Action Required)*

**I. STIPULATION**

1 Plaintiff Charles Nygard filed a complaint against multiple defendants – including  
 2 Defendant U.S. Bank National Association, as Trustee for MortgageIT Mortgage Trust, Series  
 3 2005-AR1, concerning the loan against 13401 29<sup>th</sup> Drive SE, Bothell, Washington 98012,  
 4 alleging six claims for relief under the Racketeer and Corrupt Organization Act of 1970 (RICO)  
 5 abd two claims for relief under the Washington Criminal Profiteering Act. Defendant U.S. Bank  
 6 National Association, as Trustee, etc. was named as a defendant in regard to multiple loans but  
 7 this stipulation concerns only a single loan against 13401 29<sup>th</sup> Drive SE, Bothell, Washington  
 8 98012, and as to this defendant and loan Plaintiff Nygard agrees that all causes of actions  
 9 asserted, including the RICO and WA Criminal Profiteering, should to be dismissed **with**  
 10 prejudice and without fees or costs to either party.

## 11 II. ORDER

12 Based upon the stipulation of the parties, all causes of action alleged herein in Case No.  
 13 2:14-cv-01730, asserted against U.S. Bank National Association, as Trustee for MortgageIT  
 14 Mortgage Trust, Series 2005-AR1, concerning the loan against 13401 29<sup>th</sup> Drive SE, Bothell,  
 15 Washington 98012, are dismissed with prejudice, and without award of costs or attorney's fees to  
 16 any party.

17 Nothing herein shall be a dismissal of U.S. Bank National Association, as Trustee for  
 18 MortgageIT Mortgage Trust, Series 2005-AR1, concerning other loans where it is trustee and are  
 19 involved in this action.

20  
 21  
 22 DATED: \_\_\_\_\_  
 23 Hon. Judge John C. Coughenour

24 **SIGNATURES ON FOLLOWING PAGE**

**STIPULATED, PRESENTED BY:  
ATTORNEY AND COUNSELOR AT LAW**

By: /S/ Dean Browning Webb  
Dean Browning Webb, WSBA #10735  
Attorney for Plaintiff Charles Greg Nygard

**STIPULATED, APPROVED AS TO  
FORM, NOTICE OF PRESENTATION WAIVED**

**RCO LEGAL, P.S.**

By: /S/ Steven K. Linkon  
Steven K. Linkon, WSBA #34896  
Attorneys for Defendant U.S. Bank  
National Association, as Trustee for  
MortgageIT Mortgage Trust, Series  
2005-AR1, *erroneously sued as US  
Bank National Association and  
MortgageIt Trust 2005-AR1, a Trust*